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SECRET

**OGC HAS
REVIEWED.**

CONFIDENTIAL

18 October 1950

MEMORANDUM FOR THE RECORD

SUBJECT: Registration of Agents of Foreign Powers

1. In accordance with instructions from the DCI, I discussed with Mr. Foley, head of the Alien Registration Section of the Department of Justice, arrangements for handling the provision of the Internal Security Act of 1950 which amended the Registration Act of 1938 by requiring registration of people who have knowledge of or have received instruction or assignment in espionage, counter-espionage or sabotage services or tactics of a foreign country. As Mr. Foley and I discussed it, apparently the proponents of the Bill had hoped for two things: (1) to get a roster of people with knowledge of foreign espionage practices, and (2) to provide a continuing penalty for those in this country who had such knowledge and intended to put it to subversive use. Mr. Foley agreed with our position that this amendment probably would reveal very little in the way of a roster as there were too many exceptions in the Bill. He felt that actually the registration problem would be very small and would be largely from such persons as recently arrived aliens who were applicants for citizenship and might have served in one capacity or another in foreign services related to the espionage field or other activities within the meaning of the Act. We agreed that these people probably would and should approach the FBI.

2. Mr. Foley did state that from time to time he expected to get information from the FBI indicating that someone was obligated to register and had not done so. In such cases he would be compelled to request the individual to register or prove that he was not within the Act. I suggested that in such cases prior to any action Mr. Foley's office might inquire of CIA concerning the case both to see whether CIA could provide or develop further information or to permit CIA to determine whether the individual might be of the type for which the DCI was given authority by the Act to make a determination that registration would not be in the interest of national security. Mr. Foley readily agreed that it would be proper in his view to consult us before taking any action on such cases. We both agreed that information concerning such cases and all other information we might furnish concerning people who appeared to come under the Act should go to him through the Bureau, but if it were a case in which the Director would determine the registration was not in the interest of national security, we could merely inform him directly that from information in our records registration would not be required. Mr. Foley himself suggested that the method of informing him be such that special interest of CIA in the case not be revealed.

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3. Mr. Foley's views on the new registration section seemed wholly in accord with those of CIA and the proposed arrangements seemed wholly satisfactory. The logical liaison point in CIA appears to be in OSO in the section headed by Mr. Eric [redacted] Clearance on this point should be obtained from ADSO and Chief, Inspection and Security Staff.

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/s/

LAWRENCE R. HOUSTON

General Counsel
Legal Staff

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cc: ADSO
Chief, I&SS

Dr. [redacted] 19 October 1950
LRHouston/ml1 (Legal Staff)

The Honorable
The Attorney General
Department of Justice
Washington 25, D. C.

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Attention: Mr. William E. Foley
Chief, Foreign Agents
Registration Section
Criminal Division

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Dear Mr. Attorney General:

In accordance with the understanding between you and Mr. Lawrence R. Houston of this Agency in your discussion on 17 October 1950, we wish to propose the following liaison arrangements for carrying out the provisions of the Internal Security Act of 1950 which require registration of persons who have knowledge of or who have received instruction or assignment in espionage, counterespionage or sabotage service or tactics of a foreign country. Mr. [redacted], CIA Code 143 - extension 635, is authorized to carry on direct liaison with your office in respect to this matter as outlined below.

It is assumed that there will be a certain number of voluntary registrations and in such cases the approach will be made normally to the Department of Justice. Such names as are thereby registered would be of public record and we would appreciate being placed on the routine dissemination list. For those who should register under the Act and who do not do so, we understand that your information will normally come from the Federal Bureau of Investigation. Any such information received by us will be forwarded to the FBI through normal channels. However, please feel free at any time to call upon this Agency to determine whether we have or can develop further information in any specific case.

Of particular interest to CIA is the situation where you receive sufficient information to require enforcement action by you under the Act. We understand that the first step would be to request the individual to register or indicate why registration would not be required. Prior to such action it would be appreciated if inquiry would be made of this Agency as to whether this Agency has further information or comment to make in connection with the registration. This would give CIA an opportunity, in those rare cases where it might have a direct interest in the individual concerned, to exercise the discretion granted by the Act to the Director to make a determination that registration would not be in the national interest. In such cases Mr. [redacted] will work out with you a procedure for informing you that such a determination has actually been made without revealing any direct interest on the part of CIA. In some cases the Attorney General may see fit to exercise the similar discretion granted him, and we would expect from the Department of Justice only such information in respect to those cases as the Department saw fit to forward to us.

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We understand that a procedure has not yet been established through which the Attorney General would make his determination under the Act, and we would appreciate it if you would discuss such procedures with Mr. [redacted] so we may model those of CIA in so far as possible after those of your Department.

Sincerely yours,

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(SENDER WILL CIRCLE CLASSIFICATION TOP AND BOTTOM)

CENTRAL INTELLIGENCE AGENCY
OFFICIAL ROUTING SLIP

TO		INITIALS	DATE
1	Chief, I&SS	SE	25Oct50
2	ADSO, 1040 L Bldg.		
3	ADOPC		
4	LEGAL STAFF		
5			
FROM		INITIALS	DATE
1	General Counsel	LH	19Oct50
2			
3			

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> INFORMATION	<input type="checkbox"/> SIGNATURE
<input type="checkbox"/> ACTION	<input type="checkbox"/> DIRECT REPLY	<input type="checkbox"/> RETURN
<input type="checkbox"/> COMMENT	<input type="checkbox"/> PREPARATION OF REPLY	<input type="checkbox"/> DISPATCH
<input type="checkbox"/> CONCURRENCE	<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> FILE

REMARKS:

1. Attached is a memorandum setting forth the gist of my discussion with Mr. Foley on the registration of persons with espionage knowledge. Also attached is my draft of a letter to Mr. Foley establishing regular liaison arrangements.
2. All persons who are or have been in the service of CIA are exempted by law so there is no problem concerned about listing employees or others who acquired their(ove

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knowledge through service with government agencies. The
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main category with which we are concerned are those who
do not come within the statutory exemption but who should
not, for one reason or another, be forced to register. I
believe the approach of Mr. Foley is reasonable and in
accord with our ideas. You will note the draft letter
recommends that [REDACTED] be liaison officer and that the
nature of the liaison is outlined.

STATINTL

3. Would you please give me your concurrence, disapproval
or comment. If you agree with this approach, I shall re-
commend that the Deputy Director sign the letter to Mr.
Foley.

/s/
LAWRENCE R. HOUSTON
General Counsel
Legal Staff